nuclear watch new mexico

Scoping Comments to the National Nuclear Security Administration For the Proposed Supplemental Environmental Impact Statement To the Final Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory

February 28, 2005

Ms. Elizabeth Withers
NNSA Los Alamos Site Office
NEPA Compliance Officer
528 35th St.
Los Alamos, NM 87544

Via e-mail <lanl_sweis@doeal.gov> and USPS

Dear Ms. Withers:

Nuclear Watch New Mexico is pleased to submit the following scoping comments for the Supplemental Environmental Impact Statement to the Final Site-Wide Environmental Impact Statement for Continued Operation of the Los Alamos National Laboratory (hereinafter the "S-SWEIS").

The Value of Citizen Comment

By way of example we are urging the National Nuclear Security Administration (NNSA) to take our comments and all public comment seriously. One of the authors of these comments wrote extensive comments on the 1998 draft LANL SWEIS. Still incredible to him is the fact that the draft LANL SWEIS completely omitted discussion of wildfire as a risk to Laboratory operations. In response to his and others' comments on that omission, the Department of Energy (DOE) included a relatively detailed wildfire analysis in the 1999 Final SWEIS. It wasn't much more than a half-year later that the real thing broke with the Cerro Grande Fire. The head of the Lab's post-fire rehabilitation efforts personally told this commentator that during the emergency Lab leadership could read the wildfire analysis in the 1999 LANL Final SWEIS like a playbook. Regional media reported that the fire "eerily" followed that playbook. Indisputably, precious time was saved because that analysis was conducted. That analysis, in turn, was prompted by citizen comment, thereby concretely demonstrating the practical value of public comment. Therefore, the NNSA should carefully weigh these and all public comments. Whether in agreement or not, the NNSA should proffer serious, well-reasoned and substantive responses to all of them.

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A Completely New SWEIS Is What is Truly Needed

The NNSA will perhaps not be surprised to hear us argue that a completely new SWEIS is what is truly needed. However, while making that argument, we want to assure that we do not do so simply out of a reflexive desire to be difficult, intransigent, or unreasonably demanding. We do so because:

1) We believe the 1999 LANL Final SWEIS was seriously deficient because of deficiencies made in both omission and commission. These include the total lack of consideration of cleanup activities and what we believe were flawed risk analyses. Also, generally under this category, is the new information on many safety issues provided by the Defense Nuclear Facilities Safety Board (DNFSB) concerning the extent and severity of credible risks associated with Lab operations. Finally, the 1999 SWEIS falsely (in our view) claimed that waste management facilities were sufficient to support expanded nuclear weapons activities. A new SWEIS should stringently explore that issue, especially with respect to the Radioactive Liquid Waste Treatment Facility.

2) The changing mix of present and future Lab operations, such as the pending closure of Technical Area (TA)-18 and relocation of some of its activities to other LANL facilities, the possible relocations of plutonium-238 operations and the neutron target tube loading mission away from LANL, and the possibility that the NNSA could decide that stockpile plutonium pit production may have to be increased from the 20 pits per year envisioned in the Record of Decision for the 1999 SWEIS, especially if the planned Modern Pit Facility (MPF) is further delayed. As the Notice of Intent (NOI) for the S-SWEIS itself states "Substantial changes to the level of LANL operations may result from proposed, modified or enhanced activities and operations within LANL facilities…" We think this indicative of the need for a completely new SWEIS.

3) Starkly different environmental conditions as the result of the Cerro Grande Fire, including an accelerating risk of offsite contaminant migration.

4) The tectonic plate shifts caused by 9.11 in security and terrorism prevention matters, and even in the future mission directions of the Laboratory.

5) Finally, we note that it would somehow be fitting for the Lab to make a brand new start following the stand down in operations in the second half of 2004 with a brand new SWEIS. Further, looking into the not-distant future, a completely new SWEIS could be of possible assistance to whomever the new management contractor might be, supposedly to be selected by this coming summer.

We comment in further detail on some of the above issues below. As a general matter, because we believe our advice to prepare a completely new SWEIS will likely fall on deaf ears, we incorporate the above issues into what a supplemental SWEIS should address as well.

Future Missions

We have already argued that the pending change in the mix of missions at LANL should prompt the preparation of new SWEIS. Regardless of whether a new or supplemental SWEIS is prepared, one or the other should address the following issues as future Lab missions:

1) Given that Congress substantially cut funding for the Modern Pit Facility (MPF) last year, and that apparently as a result the NNSA requested a more modest amount for FY06, it is reasonable to assume that that proposal could be significantly delayed. Therefore, the new/supplemental SWEIS should begin to grapple with the issue of the NNSA possibly deciding to increase project plutonium pit production at LANL. Also related to the fundamental need for the MPF, both LANL and LLNL have been involved in "accelerating aging" studies for assessing the lifetimes of plutonium pits, supposedly to be completed by the end of FY06. A new/supplemental SWEIS should incorporate whatever information is available from those studies.

2) Congress rejected any funding in FY05 for the "Advance Concepts Initiative" (believed to be centered around "mini-nukes" and possible exotic new designs) and instead reprogrammed the requested funding toward a Reliable Replacement Warhead project. The new/supplemental SWEIS should disclose Laboratory planned activities for that project.

3) A new/supplemental SWEIS should disclose ongoing and planned work on the Robust Nuclear Earth Penetrator.

4) A new/supplemental SWEIS should disclose plans for the further consolidation of plutonium activities at TA-55 and the creation of a "nuclear campus", plus all possibly related issues (e,g. , the relocation of Parajito Road). Somewhat related, LANL should also make publicly available its Ten Year Comprehensive Site Plans as supporting reference documents. Additionally, given LANL's repeated delays in producing a qualified war reserve pit (from FY01 to FY07), a new/supplemental SWEIS should lay out with certainty when such a pit will be produced, at what cost, and what subsequent production levels will be.

5) A new/supplemental SWEIS should disclose Lab efforts for "Enhanced Test Readiness" that seek to lower the advance time necessary to return to full-scale testing from 24 – 36 months to 18 months.

6) The NNSA FY06 Congressional Budget Request asks for a 16% increase in "Directed Stockpile Work" at Los Alamos. Given that DSW is hands-on work nuclear weapons work, such as refurbishments and improvements, a new/supplemental SWEIS should explain exactly what those activities would be.

7) A new/supplemental SWEIS should disclose probable major upgrades and future construction, such as the Los Alamos Neutron Science Center and the long conceived Advanced Hydrotest Facility.

8) A new/supplemental SWEIS should revisit the issue of the expansion of Area G, the Lab's "low-level" radioactive waste dump.

9) A new/supplemental SWEIS should make explicitly clear the portions of Laboratory property that LANL intends to declare as "industrial use."

10) A new/supplemental SWEIS should explain why, in the face of our ongoing national security crisis over the lack of energy independence, no funding is requested for research and development of renewable energy technologies.

11) Similarly, a new/supplemental SWEIS should explain what efforts, if any, are being made toward combating the global threat of planet-wide climate change.

12) Probable "Work for Others" (i.e., other than DOE) should be precisely predicted and analyzed in a new/supplemental SWEIS, along with likely budget projections.

13) As already noted, analysis of cleanup programs was completely omitted in the 1999 LANL SWEIS, an omission that we feel some outrage over. A new/supplemental SWEIS should fully consider cleanup programs as an essential and ongoing LANL mission. After all, a considerable sum of taxpayers' money has been spent on arguably poor results in the absence of such consideration and planning. A new/supplemental SWEIS should fully consider the impact of the Consent on Order that LANL will reputedly sign tomorrow with the New Mexico Environment Department. We repeat here that cleanup issues argue for a new SWEIS since a 10-year planning horizon would be the appropriate timeframe in which to begin to grapple with the impacts of the Consent on Order. In any event, a new/supplemental SWEIS should consider and analyze the NNSA's planned separation of cleanup from the main LANL management contract in 2007. Also, the planned transfer of cleanup to the NNSA from DOE Environmental Management should be analyzed as to whether that is truly beneficial for those programs. Please justify how the nuclear weapons agency could possibly do better than the already miserable cleanup performance by DOE EM.

Risk Analyses

The heart of the National Environmental Policy Act (NEPA) is, of course, to analyze the potential harm or risk to the public from federal government actions. In our view, the 1999 SWEIS did not engage in credible risk analyses, but instead concluded in advance that extremely low risks were associated with continuing and expanding nuclear weapons activities at LANL and framed the analyses to support that conclusion. We assert that that the risk analyses should be totally revamped,

and that an entirely new SWEIS is the appropriate platform upon which to do it. In the event a new SWEIS is not undertaken, a S-SWEIS should aggressively tackle the job.

Reasons why a radical revamping of risk analyses should occur are:

1) The 1999 SWEIS states that

> The [risk] analysis began with the establishment of the baseline risk from current operations, plus planned activities, that together constitute the No Action Alternative. The baseline was established by a process of safety documentation review, interviews with facility management, physical inspections ("walkdowns") of facilities, and discussions with facility management. (1999 SWEIS, p. 5-27.)

We have very little confidence in whatever baseline the 1999 SWEIS established. First of all, the dramatic fact that the Lab Director felt compelled to order the stand down to operations for the second half of 2004 for safety as well as security reasons should generally prompt serious doubts as to the validity of any previously established safety baseline. Secondly, the Defense Nuclear Facilities Safety Board (DNFSB) has many times pointed out the depressing state of safety documents, including formally required safety and authorization bases. As jaded as we are from long-time observation of the Lab, we still find it shocking that major nuclear facilities, some of which are one-of-a kind in the nation (e.g., the plutonium pit production facility), are allowed to operate without formal, updated safety bases in place.

2) We place the 1999 SWEIS baseline itself in dispute, and then argue that the resulting calculated risks to the public were ridiculously low, in large part due to garbage in, garbage out. The calculations in the 1999 SWEIS simply do not square up with the more recent calculations made by the Defense Nuclear Facilities Safety Board (DNFSB). One example is where the 1999 SWEIS calculates that an airplane crash into the air buildings storing transuranic waste at TA-54 with resulting fire could deliver a dose to the Most Exposed Individual of the public (MEI) of 22 rem. (1999 LANL SWEIS, P. 5-91). Astonishingly, the DNFSB calculates a 1,800 rem offsite dose (Table 2, 5/3/04 DNFSB "Staff Issue Report" for LANL), three times what is normally considered as fatal. This one disparity between SWEIS and DNFSB calculations is not an isolated incident, but is instead systematic. We are betting that the DNFSB's calculations are far closer to the truth. As further examples, the 1999 SWEIS calculated a 120 rem MEI dose in the event of a runaway criticality experiment at TA-18, the DNFSB calculated 1,100. The 1999 SWEIS calculated a 46 rem MEI dose in the event of a fire at TA-54's RANT facility, the DNFSB 500 rem. These disparities offer compelling reasons why NEPA risk analyses for operations at LANL should be completely overhauled. Further, any new or supplemental SWEIS should fully incorporate the DNFSB's findings and recommendations.

3) Yet another reason why risk analyses should be completely overhauled is the LANL SWEIS's use of the probability of accidents. "For many events the risk can be expressed mathematically as the

product of the consequence and its probability." (1999 SWEIS p. 5-26). The disparities between the SWEIS' and the DNFSB's calculated doses, i.e. ultimate consequences, have been discussed immediately above. Concerning probability, although we are not aware of the DNFSB's explicitness in this issue, we suggest that the Safety Board's repeated warnings about various operations and repeated criticisms concerning the lack of formal, updated safety bases (among other things) indicate that the Board would have a radically different view of probable probability from that of the Lab's. Further, the Lab's own operational history breeds more doubt, e.g. the repeated plutonium-238 uptakes by workers at TA-55.

As a concrete example, the SWEIS gives a "Likelihood" of "Plutonium released from flux trap irradiation experiment at TA-18" as "one event in approximately 65,000 years." (1999 SWEIS, p. 5-92.) Yet the urgency of the DNFSB's criticisms and warnings regarding criticality experiments at TA-18 would seem to belie that optimistic scenario. More generally, the probabilities of an airplane crashing into the air buildings storing transuranic wastes and into the Chemical and Metallurgical Research (CMR) Building are given as one event per 200,000 years and 300,000 years respectively in the 1999 Final LANL SWEIS. Even though we doubt those are credible probability designations to begin with, it is certainly not true in the post-9.11 world. In short, an entirely new SWEIS or a S-SWEIS should arrive at credible probability assessments for potential accidents and/or terrorism.

4) We feel that a final risk analysis criticism is merited that concerns not only the 1999 SWEIS, but also the way that all (as far as we know) DOE NEPA documents arrive at calculated risks in terms of "latent cancer fatalities." To conclude in terms of "latent cancer fatalities obviously assumes that the only health impact from radiation are indeed cancer fatalities. However, cancer fatalities represents only one of a number of possible radiation health impacts, others of which can be premature aging, excess tumors (not necessarily cancerous), genetic and fetal effects, and increased cardiovascular diseases and renal failure. As a famed Soviet radiobiologist put it

> The late medical and biological effects of radiation have been studied extensively. It is accepted that a single or extended exposure of 100 to 200 rem reduces the human life span by 6 or 7 years due to increase in cancer, cardio-vascular disease, renal failure and other consequences [and]...carcinogenesis causes only about a third of the cases of radiation-related reduction in life span. (The Legacy of Chernobyl, Zhores A. Medvedev, 1992, W.W. Norton and Co, New York, pp. 170 and 173 respectively.)

We do not have the medical and radiobiological expertise to suggest what should be used in lieu of latent cancer fatalities in DOE NEPA analyses. What we do know is that "latent cancer fatalities" fail to capture the true risks of radiation-induced effects, even fatalities, and a new or supplemental SWEIS should use an appropriately inclusive benchmark, or credibly defend why not.

The Biological Safety Level-3 Facility

As the NNSA knows Nuclear Watch New Mexico is one of the co-plaintiffs who sued under the National Environmental Policy Act (NEPA) arguing that the environmental assessment (EA) for the LANL BSL-3 facility (and the Lawrence Livermore National Laboratory as well) was inadequate. Also, as a matter of record, and whether or not the NNSA is prepared to credit our litigation for it, the Finding of No Significant Impact (FONSI) for the BSL-3 was withdrawn. The S-SWEIS Notice of Intent restates that a new environmental assessment will be prepared for the BSL-3 facility. In the event that the NNSA decides that a more comprehensive environmental impact statement (EIS) is needed for the facility then the EIS will be included in the "S-SWEIS Proposed Action." As friendly advice we suggest, as we have in the past, that the LANL BSL-3 NEPA process should immediately proceed to a stand-alone EIS. In no event should operation of the BSL-3 facility be incorporated into the baseline of ongoing Lab activities as part of the No Action Alternative for a S-SWEIS (although we acknowledge that the NOI's language does not suggest that is the direction that the NNSA will take).

Socioeconomic Analysis

The 1999 LANL SWEIS, citing a 1996 study, claims economic multipliers of 1.71 in total jobs created, 1.95 in total wages and salaries, and 2.19 in total economic activity in the tri-county area (Los Alamos, Santa Fe and Rio Arriba Counties). We find those claims somewhat incredible. For starters there is no supporting information to back up those claims. A new/supplemental SWEIS should update those claims, with supporting references and information.

Unfortunately, we believe that the last economic study by DOE for claimed statewide benefits was completed in 1999. We analyzed that study under the tutelage of Lloyd Jeff Dumas, Professor of Political Economics at the University of Texas at Dallas. First of all, Professor Dumas found in a survey of seven different studies completed by universities, state government entities and a corporate institution that they all concluded that private sector and non-military government research yielded economic multipliers in the range of 1.5 to 2.0. Federal military research was invariably below that. Further, Professor Dumas found that DOE had claimed that 90% of its money spent in New Mexico stayed in this state, a virtual impossibility given that New Mexico is not exactly a "value-added" industrial and service state. Finally, if the economic presence of DOE was as beneficial as claimed, one would think that this would be circumstantially evidenced by a considerable amount of spin-off businesses around DOE facilities. Simply put, that ample evidence is not there. To repeat, a new/supplemental SWEIS should not only update socioeconomic information, but also back it up with full supporting information.

Safety and Security Infractions

In July 2004, LANL stood down all operations due to safety and security infractions. Safety and

security infractions in past years have led to LANL's contract being put up for bid. The risks to the public of LANL not following DOE rules, regulations, and timelines should be included in the new SWEIS or S-SWEIS. In the past seven months, LANL has revised most of its operating procedures and rearranged many management positions. The effects of such sweeping and untested changes should be studied. The possible effects of a new contractor and of new contractor management procedures on operations should also be included. Moreover, the potential effects of the turnover of large numbers of employees should be studied in the event that the University of California does not win the competitive bidding. The stand down and competitive bid process have reportedly lowered employee morale at LANL. The potential risk to the public of LANL employees with lowered morale should be analyzed.

Increase Transparency

The effects of 9.11 should be incorporated into the new SWEIS or S-SWEIS. Since 9.11 many documents, many of which were formally used for previous public oversight purposes, are now kept from public view. Having the public and watchdog groups shut out of the oversight process is not beneficial. What does the NNSA believe are the current effects of this lack of transparency? What does the NNSA believe are the future effects of LANL operations being less transparent, especially concerning documents pertaining to environmental and public safety issues?

DNFSB Risk Analysis

All Defense Nuclear Facilities Safety Board (DNFSB) reports and recommendations should be incorporated into the new SWEIS or S-SWEIS. DNFSB monitors the nuclear activities of LANL. The Board has made a number of critiques and suggestions over the years that should be incorporated into the new SWEIS or S-SWEIS to improve future operational safety at LANL. The effects of LANL not following DNFSB recommendations in a timely fashion should be considered. We also ask that DOE recalculate the accident scenarios and consequences used in the 1999 SWEIS in a manner that addresses the concerns and comments expressed by the DNFSB in the past five years.

DOE IG Reports

Since the 1999 SWEIS, many DOE IG reports have been released concerning LANL (e.g., DOE/IG – 0659 The Stabilization of Nuclear Materials at Los Alamos National Laboratory). The recommendations and possible effects of these reports should be incorporated into the new SWEIS or S-SWEIS. In addition, considering the host of problems that LANL is currently having, the new SWEIS or S-SWEIS should consider the possible beneficial effects of having a DOE IG office located at LANL.

Stabilization of Nuclear Materials

In particular, the new SWEIS or S-SWEIS should analyze the effects of unstabilized nuclear materials. In August 2004 report, the DOE IG stated that LANL has not completed or accelerated the stabilization of fissionable and other radioactive material at Los Alamos. Rather, it has extended the completion schedule until 2010. Furthermore, the Department has missed interim milestones and project tasks that are likely to further impact the schedule. Workers could be exposed to radiation, resulting in serious health consequences. In addition, the lack of stabilization could pose increased risks to the public. We suggest that the stabilization of nuclear materials at LANL should be given the highest priority, and be given such priority in a new or supplemental SWEIS.

Leak Path Factor

Leak Path Factors (LPFs) for all LANL facilities should be re-analyzed. In December 2004, LANL submitted to the NNSA a re-analysis that concluded that the leak path factor in TA-55 is 10 to 50 times higher than previously asserted and that neither passive nor active confinement modes can mitigate the potential off-site consequences to below evaluation guidelines. In a 2004 letter to NNSA, the DNFSB also criticized the LPF calculation for building 332 at Lawrence Livermore Nation Laboratory, noting that the "calculated LPF of 5 percent is unrealistic and probably underestimates the extent of a release from unfiltered radioactive material from this facility."

Leak Path Factor calculation errors were partially software related. We request that the latest software be used by qualified personnel for risk analysis and be released to the public domain in both compiled and binary form. In January 2000, the Defense Nuclear Facilities Safety Board (DNFSB) issued Technical Report 25 (TECH-25), Quality Assurance for Safety-Related Software at Department of Energy Defense Nuclear Facilities (DNFSB, 2000). TECH-25 identified issues regarding the state of software quality assurance (SQA) in the Department of Energy (DOE) Complex for software used to make safety analysis decisions and to control safety-related systems. Instances were noted in which computer codes were either inappropriately applied or were executed with incorrect input data. Of particular concern were inconsistencies in the exercise of SQA from site to site, and from facility to facility, and the variability in guidance and training in the appropriate use of accident analysis software.

Administrative Controls

The new SWEIS or S-SWEIS should list the administrative controls for all nuclear and hazardous materials, both facility-specific and site-wide. The changes from the 1999 SWEIS and the effects of these changes on public safety should be analyzed for operational and potential accident hazards.

Wettest Winter Ever

The winter of 2004 - 2005 is starting out to be the wettest winter on record in Northern New Mexico. The effects of wetter-than-normal years on operations and cleanup should be studied. The effects of contaminant migration should be of special concern.

Contaminant Migration

As late as December 1997, the LANL hydrologists stated that the intermediate aquifers are segregated from the main aquifer by impermeable geologic formations. This year, in a report titled: *Progress report On Mortandad Canyon Investigation* LANL hydrologists finally admitted that there are recharge zones from the surface alluvium into the perched aquifers and from the perched aquifers into the regional aquifer in Mortandad Canyon. Also, there seems to be a nitrate and perchlorate contaminant plume in the groundwater in Mortandad Canyon. In addition, the LANL-produced video, *Agua Es Vida* showed the area under LANL, the Pajarito Plateau, to be a moderately high recharge zone for the aquifer. Because of these recent LANL findings that seemed intuitive to most everyone else for many years, the effects of contaminant migration need to be analyzed immediately. The effects of LANL ignoring these possible pathways into the regional aquifer should also be studied. Any new or supplemental SWEIS should also incorporate the most updated hydrogeological information available, an area that the 1999LANl Final SWEIS was notably deficient in.

Pu-238 Mission Move

The proposed plutonium-238 operations relocation to the Idaho national Laboratory and what will be done with the resulting saved space in the plutonium pit production facility at TA-55 should be examined and documented in the new SWEIS or S-SWEIS.

Categorical Exclusions

Since January 2004, there have been 33 NEPA categorical exclusion determinations for operations at LANL. These exclusions include several D&Ds of vacant laboratory buildings. DOE NEPA regulations state that categorical exclusions "do not individually or cumulatively have a significant effect on the human environment" (10 CFR 1021.410). Please provide a reason why each of the exclusions should be immune from NEPA review, and why each does not have a significant effect on the environment.

Cumulative Impacts

DOE's NEPA Implementing Procedures require a SWEIS to include "cumulative impacts of ongoing and reasonable foreseeable future actions at a DOE site" (10 CFR 1021.104). The cumulative

impacts of all categorical exclusions, all other EISs pertaining to LANL, the 1999 SWEIS and this new SWEIS or S-SWEIS need to be considered together.

Welding Issues

The new SWEIS or S-SWEIS should analyze the risks of bad welds to the public health. LANL has identified, via self-assessment, that some welding processes used on site may not have complied with national codes and that this may have resulted in (a) welding not being done by welders who were qualified and holding current certification; (b) welding procedures not appropriately reviewed and approved prior to use; and (c) welding equipment and materials not procured and controlled to defined procedures. The DNFSB understands these issues extend to some nuclear facilities (e.g., CMR). A leaking weld at the TA-50 Radioactive Liquid Waste Treatment Facility has recently caused safety concerns and also contributed to TA-55 being "waste-logged." The safety impacts of replacing or not replacing thousands of bad welds should be analyzed.

CMRR Design-Build

The possible extra risks to the public of the Chemical Metallurgical Research Replacement project being constructed as a "design-build" need to be considered.

DNFSB states in February 24, 2005 letter to NNSA Secretary Brooks:

> Department of Energy Manual 413.3, *Project Management for the Acquisition of Capital Assets*, cautions that "design-build can be used most successfully with projects that have well-defined requirements, are not complex, and have limited risks". The magnitude, complexity, and mission importance of CMR-R do not satisfy this caution.
>
> The Board believes that for a design-build approach to be successful intense oversight by NNSA and LANL will be required, using personnel experienced in the management and oversight of large, complex projects, in areas such as project management, cost estimating, safety analysis, process design, construction, and scheduling. However, the number of NNSA and LANL personnel experienced in these areas is limited.

Design Basis Threat

Will the new SWEIS or S-SWEIS effectively incorporate the required September 2004 design basis threat (DBT) for all LANL facilities? The impact to the public of the DBT should be analyzed and made unclassified in a summary form. The DBT is a profile of the type, composition, and capabilities of an adversary. Design basis threat (DBT) is used as a basis for designing safeguards systems to protect against acts of radiological sabotage and to prevent the theft of special nuclear

material. The DBT is described in detail in Title 10, Section 73.1(a), of the Code of Federal Regulations [10 CFR 73.1(a)]. This term is applied to clearly identify the expected capability of a facility to withstand a threat.

The DOE has addressed the post September 11, 2001 security environment by moving to higher levels of security readiness and revising its Design Basis Threat, a classified document that identifies the potential size and capabilities of terrorist forces. However, DOE has been slow to resolve a number of significant issues associated with implementing the Design Basis Threat at its sites that contain nuclear weapons or weapons grade material.

Seismic Activity

All LANL facilities should meet current seismic codes. The possible effects of LANL facilities that do not meet current seismic codes should be analyzed. Current computer software and reports should be used for this evaluation. Ares Corp. performed seismic evaluation and classification walk-downs of over 100 facilities at the LANL site for compliance with seismic safety documentation requirements for DOE buildings. The results of this report should be made public. As an example, the Radioassay and Nondestructive Testing Facility (TA-54-38) (RANT) met code when it was constructed (1989), but it's questionable whether it meets seismic requirements now.

TA-18 Move

TA-18 decontamination and decommissioning needs to be analyzed in a new SWEIS or S-SWEIS. TA-18 is too contaminated for a categorical exclusion.

DARHT 2nd Axis

The new SWEIS or S-SWEIS needs to fully incorporate the line item in the FY06 Congressional budget for the Dual-Axis Radiographic Hydrotest (DARHT) Second (2nd) Axis Recovery and Commissioning Project. Please explain the 12 steps involved in this recovery program.

LANSCE Upgrades

Any plans for upgrades for LANSCE should be analyzed. These should include electrical requirements. Any plans for an advanced hydrotest facility should be included in the new SWEIS or the S-SWEIS.

These comments respectfully submitted by,
Jay Coghlan, Executive Director
Scott Kovac, Research Director